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OPENING STATEMENT OF SENATOR EDMUND S. MUSKIE
SUBCOMMITTEE ON AIR AND WATER POLLUTION
WATER POLLUTION CONTROL HEARINGS

March 15, 1971

The Subcommittee opens this morning eight days of hearings on the pending water pollution control bills. I think this is an important series of hearings. The Congress has an opportunity this year to look closely at the water pollution program, to build upon the experience of the past five years, to decide where and how the program should be changed, and to adapt the program to national needs.

The number of bills pending before the Subcommittee indicates a wide interest in the water pollution problems and some broad differences of approach to solving those problems. In preparing for these hearings, however, I have been impressed by how much general agreement exists on specific points in the pending bills. Let me give you some examples:

1. There is agreement that water quality standards should apply to all of the nation's rivers.
2. There is agreement that enforceable effluent limits should be included in the water quality standards.
3. There is agreement that Federal funding should be at least doubled and perhaps should be increased to even higher levels.
4. There is agreement that the delays in enforcing the existing law should be eliminated and the enforcing arm of the Administration should be strengthened.
5. There is agreement that penalties for polluters should be stiffer and spelled out in the law.
6. There is agreement that the tools for enforcement, such as right of entry, emission monitoring, subpoena power, and the authority to issue orders should be available to the Administrator.
7. There is agreement that ocean dumping should be prohibited and that water quality standards for the oceans should be established.
8. There is agreement that citizens should have a right to go to court to stop violations of the law.

The question, then, is not what will we do, but how will we do it. On that broad question, of course, there is bound to be some disagreement. I expect the Subcommittee, knowing of the wide interest and general agreement on specific points, will be able to reach an early resolution of the problems and report a strong, tough bill.

At this point, let me remind all parties at interest that this Subcommittee has been writing basic pollution laws for the past eight years. Those laws have been the products of hearings, of discussions, of studies by the General Accounting Office, and of new information from a variety of sources.

Again this year I believe the Subcommittee's efforts will produce a clean bill designed to deal with the problems of water pollution control. There will be problems, I should say, that are not dealt with in the pending bills, and I expect the Subcommittee will want to consider them. Let me give you some examples:

1. Transfer of the Refuse Act of 1899 authority from the Corps of Engineers to the Environmental Protection Agency so that the potential for conflict of authority can be eliminated.

2. Provision for citizen suits to stop violations of the permit program under the Refuse Act of 1899.

3. Elimination of limits on liability for oil spills so that a real incentive can be provided for better handling and shipping of oil.

4. A separate authorization for program activities in the water quality office so that we may evaluate how well budget requests respond to the program needs.

I have talked in detail and at some length because I would prefer that everyone interested in the problems of water pollution shall know, before we begin, what to expect. I am saying that you can expect this year a strong, tough bill intended to deal effectively with the contaminants fouling the Nation's waters.

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